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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

9/11

In the Matter of	:	
	:	
MICHAEL B. HONRYCHS D.M.D.	:	Administrative Action
	:	
Licensed to Practice Dentistry:	:	INTERIM CONSENT ORDER
in the State of New Jersey	:	
	:	

This matter was opened to the New Jersey Board of Dentistry (hereinafter "the Board") upon information disclosed in a report from the Enforcement Bureau that Michael B. Honrychs, D.M.D. (hereinafter "respondent") was arrested in Camden County on January 27, 1996 for violating N.J.S.A. 2C:35-10a by knowingly or purposely obtaining or possessing a controlled dangerous substance (hereinafter "C.D.S") or a controlled substance analog that was not obtained directly from a practitioner or under a valid prescription issued by a practitioner (a Third Degree Offense). According to the Enforcement Bureau report, respondent pled "not guilty" and received a one year conditional discharge term, a \$500.00 penalty to the Drug Enforcement Demand Reduction, a \$125.00 Assessment to the Violent Crimes Compensation Board, and a \$50.00 laboratory fee.

On July 24, 1996, the Board held an investigative inquiry into the matter. Respondent was present and represented by Attorney

J.P. Reilly, Jr. Respondent testified that he did not have a drug abuse problem. He testified that he was involved in a stressful situation which had led him to illegally obtain and take a C.D.S. one time prior to the time he was arrested. The Enforcement Bureau report showed that on January 27, 1996 in Camden, New Jersey in an alley known for the illegal sale of narcotics, respondent was arrested for illegally possessing/obtaining a C.D.S. (cocaine). Respondent testified that these were the only two times that he had illegally obtained a C.D.S.

The Board having heard the testimony of respondent and having reviewed and considered the Enforcement Bureau report, and it appearing that respondent wishes to resolve this matter without resort to formal proceedings and for ~~good~~ cause shown;

IT IS ON THIS 11th DAY OF AUGUST 1996,

HEREBY ORDERED AND AGREED THAT:

1. The license of Michael Honrychs, D.M.D. to practice dentistry in the State of New Jersey shall be and is hereby suspended for a period of one year commencing on the day this Interim Consent Order is filed in the Board office. The one year suspension shall be stayed and shall constitute a probationary period so long as respondent complies with all of the other terms of this Order.

2. Respondent at his own expense shall be evaluated by Dr. Frank Dyer (psychologist) to assess, among other things, the status of respondent's drug dependency, his current intellectual and personality functioning, and his psychological fitness to practice

dentistry, as well as to recommend limitations on the scope of the respondent's practice of dentistry, if any, and for rehabilitative services, if any. Within fourteen days of the filing of this Interim Consent Order, respondent shall contact Dr. Dyer for an appointment at the following: 70 Park Street, Montclair, New Jersey 07042, Tel. (201) 783-3051. Upon receiving the report of Dr. Dyer, the Board shall determine how/if the Interim Consent Order should be modified for the final Consent Order.

3. Respondent shall have his urine monitored under the supervision of the Board on a random, unannounced basis, twice weekly at a laboratory facility designated by the board. Respondent shall be provided with specific directions for the protocol of the testing procedure and the location of the laboratory facility in writing by the Executive Director of the Board.

The initial drug test shall utilize appropriate screening techniques, and all confirming tests and/or secondary tests shall be performed by gas chromatography/mass spectrometry. The testing procedures shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge.

All test results shall be provided to Agnes Clarke, Executive Director of the Board, or her designee in the event she is unavailable. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or

individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

Any failure by the respondent to submit or provide a urine sample within twenty-four hours of a request shall be deemed to be equivalent to a confirmed positive urine test. In the event the respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Anges Clark or her designee. Personnel at the drug testing facility shall not be authorized to consent to waive a urine test. In addition, respondent shall provide the Board with written substantiation of his inability to appear for a test within two days after permission has been granted to waive a test, e.g., a physician's report attesting that he was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of the dentist that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day.

In the event the respondent will be out of the State for any reason, the Board shall be so advised so that arrangements may be made at the Board's discretion for a urine test prior to the resumption of dental practice upon return to the State.

The Board may in its sole discretion modify the frequency of testing or method of reporting during the monitoring period.


4. All costs associated with the monitoring program as outlined herein shall be paid directly by the respondent.

5. Respondent shall provide appropriate releases to any and all parties who have information concerning respondent's drug dependency, and/or who are participating in the monitoring program as outlined herein as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner.

6. Respondent shall cease and desist from any and all further illegal acts.

7. It is expressly understood and agreed that continued licensure with restrictions as ordered herein is contingent upon strict compliance with all of the aforementioned conditions. Upon the Board's receipt of any information indicating that any term of the within Order has been violated in any manner whatsoever, including, but not limited to, a verbal report of a confirmed positive urine or any other evidence that respondent has used an addictive substance, a hearing shall be held on short notice before the Board or before its representative authorized to act on its behalf. The proofs at such a hearing shall be limited to evidence of the particular violation at issue. Any confirmed positive urine

test shall be presumed valid, and respondent shall bear the burden of demonstrating its invalidity..



SAMUEL FURMAN, D.D.S.
PRESIDENT
STATE BOARD OF DENTISTRY

I have read and understand the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.



MICHAEL B. HONRYCHS